

The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Plaintiff,

v.

JEFF S. SMITH,

Defendant.

No. 2:17-mc-00095-RSL

**NOTICE TO WITHDRAW
PENDING MOTION**

RE: INTERNATIONAL BUSINESS MACHINES
CORPORATION'S MOTION TO ENFORCE
AND COMPEL COMPLIANCE WITH
SUBPOENA SERVED ON AMAZON WEB
SERVICES, INC. (SET FOR HEARING ON
SEPTEMBER 1, 2017)

(Related to No.: 17-cv-5808-CS (S.D.N.Y.))

Pursuant to LCR 7(l), Plaintiff International Business Machines Corporation ("IBM") hereby files this Notice to Withdraw Pending Motion, pursuant to which IBM withdraws the pending Motion to Enforce and Compel Compliance with Subpoena Served on Amazon Web Services, Inc., which is currently set for hearing on September 1, 2017.

DATED this 30th day of August, 2017.

JACKSON LEWIS P.C.

/s/ Peter H. Nohle

Peter H. Nohle, WSBA #35849
520 Pike Street, Suite 2300
Seattle, WA 98101

Telephone: 206-405-0404
peter.nohle@jacksonlewis.com
Attorneys for International Business Machines
Corporation

DECLARATION OF SERVICE

The undersigned declares under penalty of perjury under the laws of the State of Washington that on this day, I electronically filed a true and accurate copy of the document to which this declaration is affixed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

Counsel for Defendant Jeff F. Smith

Ronald Richman: ronald.richman@srz.com

Max Garfield: max.garfield.@srz.com

Counsel for Amazon Web Services, Inc.


Michael Banks: michael.banks@morganlewis.com

Richard Rosenblatt: richard.rosenblatt@morganlewis.com

Sarah Bouchard: sarah.bouchard@morganlewis.com

Brandon Brigham: brandon.brigham@morganlewis.com

Dated this 30th day of August, 2017, at Seattle, Washington.



Andrea W. Preston